

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## In re Application

Inventor(s): Lester D. Nelson; Sara Bly

Appln. No.: 09/658,612

Confirm. No.: 3385

Filed: September 8, 2000

Title: TELEPHONE ACCESSORY FOR GENERATING  
CONVERSATION UTTERANCES TO A REMOTE  
LISTENER IN RESPONSE TO A QUIET  
SELECTIONPATENT APPLICATION

Art Unit: 2643

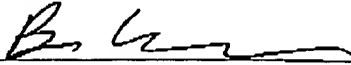
Examiner: Rexford N.

Barnie

Customer No. 23910

## CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being transmitted by facsimile to the  
Commissioner for Patents, the United States Patent and Trademark Office, Examining  
Group 2643. Facsimile No. (703) 872-9306, on February 4, 2005. Total  
number of pages transmitted 12.

  
Bryon T. Wasserman, Reg. No. 48,404 (Attorney Signature)  
Signature Date: February 4, 2005

SUPPLEMENTAL LETTER ACCOMPANYING PETITION  
FOR EXTENSION OF TIME

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On January 7, 2005, Applicants' representatives filed a Response to an Office Action having a shortened statutory response period ending on December 7, 2004. Applicants' representatives neglected to include a petition for extending the period of response to January 7, 2005. However, the submitted amendment included an authorization to charge fees for extension of time to the specified deposit account, which as per 37 CFR §1.136 should be treated as a constructive petition.

To insure proper processing of the previously submitted Response, enclosed herein is a Petition for Extension of Time for one month and a copy of the previously submitted Response. If additional time extension is needed for the Response to be accepted, Applicants hereby petition the Commissioner that it be granted and authorize the Commissioner to charge the extension fees to Deposit Account 06-1325.

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Attorney Docket No.: FX/A0005Q2  
BWasserman/fxpl/1027us0/suppl ltr re ext.doc

FXPL-01027US0 MCF/BTW

The Commissioner is hereby authorized to charge any deficiencies or credit overpayment to Deposit Account No. 06-1325, including any fees for extension of time that are needed

Respectfully submitted,

Date: February 4, 2005 By: Bryon T. Wasserman  
Reg. No. 48,404

FLIESLER MEYER LLP  
Four Embarcadero Center, Fourth Floor  
San Francisco, California 94111-4156  
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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0551-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/658,612	
	Filing Date	9/8/2000	
	First Named Inventor	Lester D. Nelson	
	Art Unit	2643	
	Examiner Name	Rexford N. Barnie	
Total Number of Pages in This Submission	12	Attorney Docket Number	FX/A0005Q2

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Supplemental Letter Accompanying Petition for Extension of Time w/COPY of Response B filed 01/07/05
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Fliesler Meyer LLP		Customer No. 23910
Signature			
Printed name	Bryon T. Wasserman		
Date	February 4, 2005	Reg. No.	48,404

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Fax. No.: (703) 872-9306	
Signature	
Typed or printed name	Bryon T. Wasserman
Date	February 4, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No.: FX/A0005Q2

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PAGE 1/12 \* RCVD AT 2/4/2005 5:23:11 PM [Eastern Standard Time] \* SVR:USPTO-EFXXF-1/2 \* DNIS:8729306 \* CSID:415 362 2928 \* DURATION (mm:ss):03:22

PTO/SB/17 (12-04)

Approved for use through 07/31/2008. OMB 0951-0032

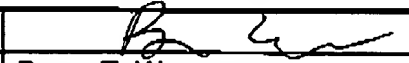
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Effective on 12/02/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete if Known</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	09/658,612
		Filing Date	9/8/2000
		First Named Inventor	Lester D. Nelson
		Examiner Name	Rexford N. Bamie
		Art Unit	2643
<b>TOTAL AMOUNT OF PAYMENT</b> (\$ ) 110.00		Attorney Docket No.	FX/A0005Q2

<b>METHOD OF PAYMENT</b> (check all that apply)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account   Deposit Account Number: <u>06-1325</u> Deposit Account Name: <u>23910 - Fliesler Meyer LLP</u>	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee	
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments	
<b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.	

<b>FEE CALCULATION</b>							
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>							
	<b>FILING FEES</b>		<b>SEARCH FEES</b>		<b>EXAMINATION FEES</b>		
<b>Application Type</b>	<b>Fee (\$)</b>	<b>Small Entity Fee (\$)</b>	<b>Fee (\$)</b>	<b>Small Entity Fee (\$)</b>	<b>Fee (\$)</b>	<b>Small Entity Fee (\$)</b>	<b>Fees Paid (\$)</b>
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
<b>2. EXCESS CLAIM FEES</b>							
<b>Fee Description</b>	<b>Fee (\$)</b>	<b>Small Entity Fee (\$)</b>					
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25					
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100					
Multiple dependent claims	360	180					
<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>			
- 20 or HP = _____ x _____ = _____				<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>		
HP = highest number of total claims paid for, if greater than 20							
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>				
- 3 or HP = _____ x _____ = _____							
HP = highest number of independent claims paid for, if greater than 3							
<b>3. APPLICATION SIZE FEE</b>							
If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>			
- 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____							
<b>4. OTHER FEE(S)</b>							
Non-English Specification, \$130 fee (no small entity discount)				<b>Fees Paid (\$)</b>			
Other: <b>\$110.00 - one-month extension of time</b>				<b>110.00</b>			

<b>SUBMITTED BY</b>		
Signature		Registration No. (Attorney/Agent) <b>48.404</b>
Name (Print/Type)	<b>Bryon T. Wasserman</b>	Telephone <b>415.362.3800</b>
		Date <b>February 4, 2005</b>

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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